

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSEPH SMYRAK,

Defendant.

8:07CR36

ORDER

This matter is before the court on defendant's motion for additional time to file pretrial motions [11]. For good cause shown, and upon the representation that opposing counsel has no objection,

IT IS ORDERED that the motion [11] is granted, as follows:

1. The deadline for filing pretrial motions is extended to **March 23, 2007**.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **March 12, 2007 and March 23, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED March 13, 2007.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge